



IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Dean Valentine
Filing Date: October 17, 2003
Title: METHOD AND APPARATUS FOR A READILY OPENED AND CLOSED,
ROLL UP CONTAINER
TC/A.U.: Unknown
Examiner: Unknown
Docket No.: 324-001U

Mailed: July 12, 2005
at Newark, CA

**PETITION FILED IN RESPONSE TO
NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION**

Mail Stop Petitions
Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The applicant received a Notice of Incomplete Nonprovisional Application, mailing date May 12, 2005 (a copy of which is enclosed herewith), indicating that the drawings submitted with the above-identified application are missing. The Applicant respectfully asserts that the application as filed was complete.

Evidence that the application was complete when filed includes the following: (1) our office has received a return post card from the United States Patent Office confirming receipt of 6 drawings sheets and assigning a serial number to the application, and (2) photocopies of the application made contemporaneously with the filing of the application include drawings. Each point will be discussed in further detail below:

07/18/2005 GWORDDF1 00000010 10688339

01 FC:1462

400.00 OP

Response to Notice of Incomplete Nonprovisional Application
Serial Number 10/688,339
Docket No. 324-001U

Page 1 of 3

(1) A self-addressed post card listing the contents of the application, including the 6 drawings sheets, was included with the application when it was mailed to the United States Patent office. The United States patent Office received the application package and returned the postcard indicating that the 6 drawings sheets were received and assigning the application a serial number. A photocopy of the postcard is included herewith.

(2) A review of our files indicates that the drawings were duly mailed with the application. This is evidence from a copy of application made contemporaneously with the filing of the application, which include the 6 drawing sheets.

For all the reasons above, Applicant submits that the application as filed was complete, and that the evidence indicates that the drawings were separated from the application after the arrival of the application at the United States Patent Office.

Accordingly, the Applicant respectfully petitions the United States Patent Office to do the following:

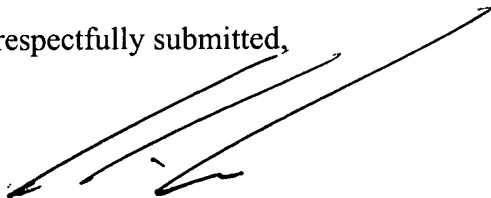
(a) Retract the Notice of Incomplete Nonprovisional Application.

(b) Add the attached drawings to the above-identified file to replace the original patent drawings lost by the United States Patent Office. Applicant's counsel declares that the attached drawings are identical to the Drawings originally submitted.

(c) Refund the \$400 cost of this petition, as the filing of the petition is required as a result of Patent Office error.

The Applicant invites the Commissioner or his or her staff to contact the Applicant's representative listed below for a telephonic interview if so doing would expedite prosecution of the application.

Very respectfully submitted,



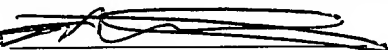
Gregory Scott Smith
GSS Law Group
3900 Newpark Mall Rd
Third Floor, Suite 317
Newark, CA 94560

Reg. No. 38,309
Phone (510) 742-7417
Fax (510) 742-7419

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature



Evanjin M. Dasalla

Date: July 12, 2005